

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

PREMIER HARVEST LLC, *et al.*,

Plaintiffs,

v.

AXIS SURPLUS INSURANCE
COMPANY, *et al.*,

Defendants.

CASE NO. C17-0784-JCC

MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable John C. Coughenour, United States District Judge:

This matter comes before the Court *sua sponte*. Defendant Axis Surplus Insurance Company filed a motion to dismiss based on Plaintiffs' failure to comply with the provisions of their insurance policy. (Dkt. No. 13 at 2.) Specifically, Defendant argued that it has not been able to conduct examinations under oath of Plaintiff Premier Harvest's owners, Dustin and Lisa Anderson. (*Id.* at 1–2.) Defendant requested the Court dismiss the case or enter a stay until the examinations under oath take place. (*Id.* at 2.)

Recently, Plaintiffs filed a motion for leave to file supplemental information, informing the Court that—because Mr. Anderson's health has improved—the examinations under oath are scheduled to proceed at the end of August 2017. (Dkt. Nos. 26 and 27.) Given this fact, the Court

1 ORDERS Defendant to provide the Court with a status update as to whether it intends to
2 withdraw or stay its motion to dismiss, or whether it intends to have the Court rule on the motion
3 to dismiss (Dkt. No. 13) and Plaintiffs' motion for leave to file supplemental information (Dkt.
4 No. 26).

5 Defendant shall provide a status update within five days of this Order.

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7 DATED this 4th day of August 2017.

8 William M. McCool
9 Clerk of Court

10 /s/Paula McNabb
11 Deputy Clerk
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